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**BEFORE THE
PHYSICAL THERAPY BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

TYRONE TREVOR TEAL, P.T.

2040 Chambers

Eugene, OR 97405

Respondent.

Case No. 1D-2005-64124

OAH No.

**DEFAULT DECISION
AND ORDER**

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about November 15, 2005, Complainant Steven K. Hartzell, in his official capacity as the Executive Officer of the Physical Therapy Board of California, Department of Consumer Affairs, filed Accusation No. 1D-2005-64124 against Tyrone Trevor Teal (Respondent) before the Physical Therapy Board of California.

2. On or about March 19, 1987, the Physical Therapy Board of California (Board) issued Physical Therapist No. PT14186 to Respondent. Physical Therapy License No. PT14186 was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2006, unless renewed.

3. On or about November 15, 2005, Elsa Ybarra, an employee of the Complainant Agency, served by Certified and First Class Mail a copy of the Accusation No. 1D-2005-64124, Statement to Respondent, Notice of Defense, Request for Discovery, and

1 Government Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with
2 the Board, which was and is 2040 Chambers, Eugene, OR 97405. A copy of the Accusation, the
3 related documents, and Declaration of Service are attached as Exhibit A, and are incorporated
4 herein by reference.

5 4. Service of the Accusation was effective as a matter of law under the
6 provisions of Government Code section 11505, subdivision (c).

7 5. The aforementioned documents were not returned by the U.S. Postal Service.

8 6. Government Code section 11506 states, in pertinent part:

9 (c) The respondent shall be entitled to a hearing on the merits if
10 the respondent files a notice of defense, and the notice shall be
11 deemed a specific denial of all parts of the accusation not expressly
12 admitted. Failure to file a notice of defense shall constitute a waiver
13 of respondent's right to a hearing, but the agency in its discretion may
14 nevertheless grant a hearing.

15 7. Respondent failed to file a Notice of Defense within 15 days after service
16 upon him of the Accusation, and therefore waived his right to a hearing on the merits of Accusation
17 No. 1D-2005-64124.

18 8. California Government Code section 11520 states, in pertinent part:

19 (a) If the respondent either fails to file a notice of defense or to
20 appear at the hearing, the agency may take action based upon the
21 respondent's express admissions or upon other evidence and affidavits
22 may be used as evidence without any notice to respondent.

23 9. Pursuant to its authority under Government Code section 11520, the Board
24 finds Respondent is in default. The Board will take action without further hearing and, based on
25 Respondent's express admissions by way of default and the evidence before it, contained in
26 Exhibit A, finds that the allegations in Accusation No. 1D-2005-64124 are true.

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1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Tyrone Trevor Teal has
3 subjected his Physical Therapist License No. PT14186 to discipline.

4 2. A copy of the Accusation and the related documents and Declaration of
5 Service are attached.

6 3. The agency has jurisdiction to adjudicate this case by default.

7 4. The Physical Therapy Board of California is authorized to revoke
8 Respondent's Physical Therapist License No. PT14186 based upon the following violations alleged
9 in the Accusation:

10 a. Business and Professions Code sections 2660(i) and 2305 (Discipline
11 by another state).

12 b. Business and Professions Code sections 2660(d) and 2660(i)
13 (Conviction of a Crime).

14 ORDER

15 IT IS SO ORDERED that Physical Therapist License No. PT14186, heretofore issued
16 to Respondent Tyrone Trevor Teal, is revoked.

17 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve
18 a written motion requesting that the Decision be vacated and stating the grounds relied on within
19 seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate
20 the Decision and grant a hearing on a showing of good cause, as defined in the statute.

21 This Decision shall become effective on April 7, 2006.

22 It is so ORDERED March 8, 2006

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25 Original Signed By:
26 FOR THE PHYSICAL THERAPY BOARD OF
27 CALIFORNIA
28 DEPARTMENT OF CONSUMER AFFAIRS

Exhibit A

**Accusation No. 1D-2005-64124
Related Documents and Declaration of Service**